UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,517	06/26/2003	Timo Tokkonen	872.0147.U1(US)	9316

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EXAMINER
MURRAY, DANIEL C

ART UNIT	PAPER NUMBER
2112	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

	Application No.	Applicant(s)
Office Action Summary	10/608,517	TOKKONEN ET AL.
	Examiner	Art Unit	
	Daniel Murray	2112	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>26JUN2003</u>.
2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-38* is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-38* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on <u>26JUN2003</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a)☐ All b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-SB/08) Paper No(s)/Mail Date <u>04DEC2003</u>.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

DETAILED ACTION

Information Disclosure Statement

1.   The information disclosure statement submitted on 04DEC2003 has been considered by the Examiner and made of record in the application.

Drawings

2.   The drawings (figures 1-10) are objected to because they lack descriptive block labels.

3.   Figure 10 is objected to under 37 CFR 1.83(a) because it fails to show "11" (network) as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d).

4.   The drawings are objected to because the items represented by the reference characters "71-74" and "78-79" are not adequately represented in figure 7.

5.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "13" and "73" have both been used to designate database.

6.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "14" and "110" have both been used to designate processing unit.

7.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "16", "112", and "112" have both been used to designate antenna.

8.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "22", "24", "90", and "100" have been used to designate wireless device.

9.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "24" and "90" have both been used to designate PDA.

10.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference

character "22" has been used to designate both mobile telephone and wireless device.

11.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference

character "24" has been used to designate both PDA and wireless device.

12.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference

character "90" has been used to designate both PDA and wireless device.

13.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference

characters "92" and "102" have both been used to designate user control(s).

14.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference

characters "34", "56", "76", "86", and "91" have both been used to designate port.

15.   Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the

Office action to avoid abandonment of the application. Any amended replacement drawing sheet

should include all of the figures appearing on the immediate prior version of the sheet, even if only

one figure is being amended. Each drawing sheet submitted after the filing date of an application

must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37

CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and

informed of any required corrective action in the next Office action. The objection to the drawings

will not be held in abeyance.

Specification

16.   The disclosure is objected to because of the following informalities: Paragraph [0015]

"second setting" inadequately describes figure 5 consider replacing "second setting" with --an

exemplary retail setting--.

17.   Paragraph [0017] "third setting" inadequately describes figure 7 consider replacing "third

setting" with --an exemplary appliance--.

Appropriate correction is required.

Claim Objections

18.   **Claims 14 and 15** objected to because of the following informalities:

a) On **line 1** of **claim 14,** replace "material" with --information-- before "comprises" and

delete "information" after "comprises" to provide proper antecedent basis.

b) On **line 1** of **claim 15,** replace "material" with --information-- before "comprises" to

provide proper antecedent basis.

For purposes of examination "material" will be interpreted as –information-- in the

aforementioned claims.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

19.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-9, 14, 15, 23, 28-30, and 35-38 are rejected under 35 U.S.C. 102(b) as being anticipated by **Gerba et al. (U.S. Patent # 5,931,908).**

a) Consider **claims 1 and 9,** Gerba et al. clearly shows and discloses a method and apparatus for providing a wireless device 34 (figure 2, column 4 lines 13-17 lines 21-30) with context sensitive information (overlay function) related to a theme (audiovisual content), the method comprising: synchronizing a network with the theme (audiovisual content)(figure 1, figure 4, abstract, column 1 lines 13-18, column 2 lines 18-40, column 3 lines16-25), the network comprising a source of context sensitive information (overlay function)(figure 1, column 9 lines 7-16) and at least one port 24 (transaction processor) for receiving a request for context sensitive information (overlay function) from the wireless device 34 and for distributing 24 (transaction processor) context sensitive information (overlay function); requesting the context sensitive information by contacting the at least one port of the network 24 (transaction processor) with a communications port 36 (network interface) of the wireless device 34; and providing to the wireless device 34 through the at least one port 24 (transaction processor) a signal comprising the requested context sensitive information (overlay function)(figure 1, figure 2, column 8 lines 62-67).

b) Consider **claim 2,** and **as applied to claim 1 above,** Gerba et al. further teach synchronizing comprises starting a showing of a pre-recorded media (abstract lines 6-9).

c) Consider **claim 3,** and **as applied to claim 1 above,** Gerba et al. further teach the source of context sensitive information (overlay function) comprises a database 26 (figure 1, column 9 lines 7-16).

d) Consider **claim 4,** and **as applied to claim 3 above,** Gerba et al. further teach the database 26 is reachable through the Internet 28 (figure 1, column 2 lines 57- 59, column 9 lines 7-16).

e) Consider **claim 5, and as applied to claim 1 above,** Gerba et al. further teach notifying a user of the wireless device of the availability of the context sensitive information (overlay function)(column 1 lines 39-41, column 2 lines 8-13 lines 49-50, column 5 lines 45-58).

f) Consider **claim 6, and as applied to claim 5 above,** Gerba et al. further teach the notifying comprises producing a visible icon (column 2 lines 8-13 lines 49-50, column 5 lines 45-58).

g) Consider **claim 7, and as applied to claim 1 above,** Gerba et al. further teach the context sensitive information (overlay function) comprises at least one of a movie clip, a music title, promotional information, contest information and advertising (retrievable information and interactive functions) (column 1 36-44, column 3 lines 1-4, column 9 lines 11-16).

h) Consider **claim 8, and as applied to claim 1 above,** Gerba et al. further teach a user of the wireless device 34 receives the context sensitive information (overlay function) using one of: a mobile telephone, a personal digital assistant (PDA), a pager, and a computer comprising a wireless communication interface (column 4 lines 13-17 lines 21-30).

i) Consider **claim 14, and as applied to claim 9 above,** Gerba et al. further teach the context sensitive material (overlay function) comprises information that is at least one of: instructional; diagnostic; price related; performance related; specification related; and, schedule related (retrievable information and interactive functions) (column 1 36-44, column 3 lines 1-4).

j) Consider **claim 15, and as applied to claim 9 above,** Gerba et al. further teach the context sensitive material (overlay function) comprises at least one of a movie clip; a music title; advertising material; and, promotional material (retrievable information and interactive functions) (column 1 36-44, column 3 lines 1-4, column 9 lines 11-16).

k) Consider **claims 23 and 28,** Gerba et al. clearly shows and discloses a method and apparatus for receiving context sensitive information (overlay function) with a wireless device 34

through a wireless communications port 36 (network interface), the method comprising: contacting

a network with the wireless device 34, the network comprising a source of context sensitive

information (overlay function) and at least one port for receiving a request 24 (transaction

processor) for context sensitive information (overlay function) from the wireless device 34 and for

distributing context sensitive information (overlay function); wherein the network is synchronized

with a theme (audiovisual content)(figure 1, figure 4, abstract, column 1 lines 13-18, column 2 lines

18-40, column 3 lines16-25); the network communicating with the wireless device 34 through the at

least one port 36 (network interface) and downloading (column1 lines 39-41 lines 49-57, column 2

lines 52-59, column 3 lines 1-6 lines 14-28, column 4 lines 21 –30, column 7 lines 4-6 lines 19-24

lines 52-56, column 8 line 17-21, column 9 lines 7-21)the context sensitive information (overlay

function) to the wireless device 34 through the wireless communications port 36 (network interface).

l) Consider **claim 29,** and **as applied to claim 28 above,** Gerba et al. further teach the

wireless device 34 waits for a command to accept or reject a download of the context sensitive

information (overlay function) before downloading the context sensitive information (overlay

function)(column 9 lines 21-27).

m) Consider **claim 30,** and **as applied to claim 28 above,** Gerba et al. further teach a user

of the wireless device 34 provides a command to accept or reject a download of the context

sensitive information (overlay function)(column 8 lines 44-51).

n) Consider **claim 35,** Gerba et al. clearly shows and discloses a method for providing a

wireless device 34 (figure 2, column 4 lines 13-17 lines 21-30) with context sensitive information

(overlay function) related to a showing of a movie (audiovisual content), the method comprising:

synchronizing a network with the showing of the movie (audiovisual content)(figure 1, figure 4,

abstract, column 1 lines 13-18, column 2 lines 18-40, column 3 lines16-25), the network comprising

a source of context sensitive information(overlay function)(figure 1, column 9 lines 7-16) and at

least one port 24 (transaction processor) for receiving a request for context sensitive information

(overlay function) from the wireless device 34 and for distributing 24 (transaction processor) context

sensitive information (overlay function); requesting the context sensitive information by contacting

the at least one port 24 (transaction processor) of the network with a communications port 36

(network interface) of the wireless device 24; and providing to the wireless device 34 through the at

least one port 24 (transaction processor) a signal comprising the requested context sensitive

information (overlay function) (figure 1, figure 2, column 8 lines 62-67).

o) Consider **claim 36,** and **as applied to claim 35 above,** Gerba et al. further teach

notifying a user of the wireless device 34 of the availability of the context sensitive information

(overlay function)(column 1 lines 39-41, column 2 lines 8-13 lines 49-50, column 5 lines 45-58).

p) Consider **claim 37,** and **as applied to claim 35 above,** Gerba et al. further teach the

notifying comprises producing a visible icon (column 2 lines 8-13 lines 49-50, column 5 lines 45-58).

q) Consider **claim 38,** and **as applied to claim 35 above,** Gerba et al. further teach the

context sensitive information (overlay function) comprises at least one of a movie clip; a music title;

advertising material; and, promotional material (retrievable information and interactive

functions)(column 1 36-44, column 3 lines 1-4, column 9 lines 11-16).

Claims 16, 18, 19, 21, and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by

Anderson et al. (U.S. Patent Application Publication # US 2002/0091706 A1).

q) Consider **claim 16,** Anderson et al. clearly shows and discloses, a method for providing a

wireless device 20 (abstract, figure 1, paragraph [0029] lines 4-16) with context sensitive information

related to an operation of an apparatus (telematics/diagnostics)(figure 4c, figure 4f, figure 5b, figure

5c, paragraph [0007] line 9, line 13-20, paragraph [0011], paragraph [0030] lines 12-20, paragraph [0033] lines 24-26, lines 33-36, lines 40-46, paragraph [0036] lines 4-7), the method comprising: providing an apparatus comprising a network linked to at least one sensor (inherent from the teachings of Anderson et al. since the monitoring of tire pressure would require the use of a sensor)(paragraph [0033] lines 40-46), a source of (abstract, figure 1, paragraph [0007] lines 13-20, paragraph [0011], paragraph [0029] lines 16-22, paragraph [0033] lines 5-7, paragraph [0036] lines 4-7) context sensitive information (telematics/diagnostics), and at least one port for receiving a request (inherent from the teaching of Anderson et al. since a communications network (both wireless and wired) is used that there are ports for receiving information (i.e. requests)(abstract, paragraph [0011], paragraph [0029]) for context sensitive information (telematics/diagnostics) and for distributing (inherent from the teaching of Anderson et al. since a communications network (both wireless and wired) is used that there are ports for distributing information)(abstract, paragraph [0011], paragraph [0029]) the context sensitive information (telematics/diagnostics); monitoring the operation of the apparatus with the at least one sensor to produce operational data (inherent from the teachings of Anderson et al. since a tire pressure monitoring system used to monitor tire pressure would require the use of a sensor)(paragraph [0033] lines 40-46); contacting the at least one port with the wireless device 20 to request (inherent from the teachings of Anderson et al. since the wireless device would have to contact a port in order to request the information from the source)(paragraph [0011], paragraph [0029], paragraph[0033] line 35-36 lines 40-46) the context sensitive information (telematics/diagnostics); using the operational data to select context sensitive information (telematics/diagnostics)(inherent in the teachings of Anderson et al. since the tire pressure monitoring system would need to use the operational data (i.e. tire pressure) to provide diagnostic information (i.e. when the pressure was above or below acceptable levels)); and providing the

context sensitive information (telematics/diagnostics) to the wireless device 20 through the at least

one port (inherent from the teaching of Anderson et al. since a communications network (both

wireless and wired) is used that there are ports for providing information to a wireless

device)(abstract, paragraph [0011], paragraph [0029]).

r) Consider **claim 18,** and **as applied to claim 16 above,** Anderson et al. also discloses the

monitoring comprises operating a processing unit (inherent from the teachings of Anderson et al.

that a vehicle diagnostics (i.e. tire pressure monitoring system) would require the use of a

processor)(figure 4c, figure 4f, figure 5b, figure 5c, paragraph [0007] line 9, line 13-20, paragraph

[0011], paragraph [0030] lines 12-20, paragraph [0033] lines 24-26, lines 33-36, lines 40-43, paragraph

[0036] lines 4-7).

s) Consider **claim 19,** Anderson et al. clearly shows and discloses an apparatus adapted for

providing a wireless device 20 (abstract, figure 1, paragraph [0029] lines 4-16) with context sensitive

information related to the operation of the apparatus (telematics/diagnostics)(figure 4c, figure 4f,

figure 5b, figure 5c, paragraph [0007] line 9, line 13-20, paragraph [0011], paragraph [0030] lines 12-

20, paragraph [0033] lines 24-26, lines 33-36, lines 40-46, paragraph [0036] lines 4-7), the apparatus

comprising: a processing unit for synchronizing a network with the apparatus (inherent from the

teaching of Anderson et al. since providing location dependent information (i.e. dealers in the area),

maintenance reminders, vehicle diagnostics, and monitoring programs (i.e. tire pressure) would

require the use of a processing unit to synchronize a network with the apparatus to provide real-time

information)(figure 8, paragraph [0033] lines 4-13 lines 35-36 lines 40-46, paragraph [0036] lines 4-

7), the network comprising a source (abstract, figure 1, paragraph [0007] lines 13-20, paragraph

[0011], paragraph [0029] lines 16-22, paragraph [0033] lines 5-7, paragraph [0036] lines 4-7) of

context sensitive information (telematics/diagnostics) and at least one port for receiving a request

(inherent from the teaching of Anderson et al. since a communications network (both wireless and wired) is used that there are ports for receiving information (i.e. requests)(abstract, paragraph [0011], paragraph [0029]) for context sensitive information (telematics/diagnostics) and for distributing (inherent from the teaching of Anderson et al. since a communications network (both wireless and wired) is used that there are ports for distributing information)(abstract, paragraph [0011], paragraph [0029]) context sensitive information (telematics/diagnostics); wherein the at least one port is adapted for providing to the wireless device 20 a signal comprising (inherent from the teaching of Anderson et al. since a communications network (both wireless and wired) is used that there are ports for providing information to a wireless device)(abstract, paragraph [0011], paragraph [0029]) the context sensitive information (telematics/diagnostics).

t) Consider **claim 21,** and **as applied to claim 19 above,** Anderson et al. also discloses the apparatus comprises a vehicle (abstract, figure 2-8, paragraph [0007] line 9, line 13-20, paragraph [0011], paragraph [0030] lines 12-20, paragraph [0033] lines 24-26, lines 33-36, lines 40-43, paragraph [0036] lines 4-7).

u) Consider **claim 22,** and **as applied to claim 19 above,** Anderson et al. also discloses the source comprises a remote database reachable through the Internet (abstract, figure 1, paragraph [0007] lines 13-20, paragraph [0011], paragraph [0029] lines 16-22, paragraph [0033] lines 5-7, paragraph [0036] lines 4-7).

Claim Rejections - 35 USC § 103

20.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the

subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

21.   The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

    1.   Determining the scope and contents of the prior art.
    2.   Ascertaining the differences between the prior art and the claims at issue.
    3.   Resolving the level of ordinary skill in the pertinent art.
    4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

22.   This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

       Claims 10-13, 24-27, and 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Gerba et al. (U.S. Patent # 5,931,908).**

       a) Consider **claims 10-13, 24-27, and 31-34**, and **as applied to claims 9, 23, and 28 above,** Gerba et al. clearly show and disclose the claimed invention except that the protocol used to make the wireless connection is not taught.

Nonetheless, the Examiner takes official notices of the fact that it is well known in the art to transmit information (i.e. messages) through a wireless connection using Bluetooth, infrared (IR), radio frequency tags, or Short Message Service (SMS).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to use one of the above mentioned protocols, as known in the art, in the method taught by Gerba et al. for the purpose of optimal communication.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Anderson et al. (U.S. Patent Application Publication # US 2002/0091706 A1).**

b) Consider **claim 17,** and **as applied to claims 16 above,** Anderson et al. clearly show and disclose the claimed invention except that the protocol used to make the wireless connection is not taught.

Nonetheless, the Examiner takes official notices of the fact that it is well known in the art to transmit information (i.e. messages) through a wireless port using Bluetooth.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to use one of the above mentioned protocols, as known in the art, in the method taught by Anderson et al. for the purpose of optimal communication.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Gerba et al. (U.S. Patent # 5,931,908)** in view of **Anderson et al. (U.S. Patent Application Publication # US 2002/0091706 A1).**

Consider **claim 20,** and **as applied to claim 19,** Anderson et al. clearly shows and discloses a vehicle history and personalization information management system that comprises and communication network capable of using a wireless connection to provide the user of a wireless device with operational information (telematics/diagnostic) about the user's vehicle as well as other

information related to the vehicle (i.e. vehicle history, service and warranty, products, services, etc.) (Anderson et al.)(abstract, figures1-8, paragraph [0007] lines 13-20, paragraph [0011], paragraph [0029], paragraph [0030] 12-13 lines 19-21, paragraph [0033], paragraph [0036] lines 4-7).

Gerba et al. clearly shows and discloses a system for linking of real-time data with audiovisual content being displayed on an appliance (i.e. television) to enable a user to interact with the audiovisual content being displayed to retrieve additional information, order products, request services, etc. (Gerba et al.)(abstract, column 1 lines 12-18 lines 36-41 lines 52-58, column 2 51-59, column 3 lines 1-4, column 9 lines 7-16). However, Gerba et al. does not teach monitoring the appliance and making diagnostic information available to the user.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Anderson et al. into the teachings of Gerba et al. in order to retrieve operational information (i.e. diagnostics) about the appliance since both systems perform the same basic function of providing additional information (i.e. service, products, etc.) to the user via a network about a theme (i.e. the vehicle and audiovisual content).

Conclusion

23.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

o   Sagie, Michael (US Publication # 2002/0091793 A1) discloses: "Method and System for Tourist Guiding, Including Navigation and Narration, Utilizing Mobile Computing and Communication Devices"
o   Thompson et al. (US Patent # 6,484,011 B1) discloses: "Non-Telephonic, Wireless Information Presentation Device"
o   Walker et al. (US Patent # 7,003,726 B2) discloses: "Computer Network having Context Sensitive and Interactive Multimedia Applications and Controls, forming Dynamic User Interfaces on Local Computer Terminals"
o   Abramson, Nathan S. (US Publication # 2005/0034151 A1) discloses: "System and Method of Integrating Video Content with Interface Elements"
o   Reichardt et al. (US Publication # 2003/0056219 A1) discloses: "Systems and Methods for Coordinating Interactive and Passive Advertisement and Merchandising Opportunities"
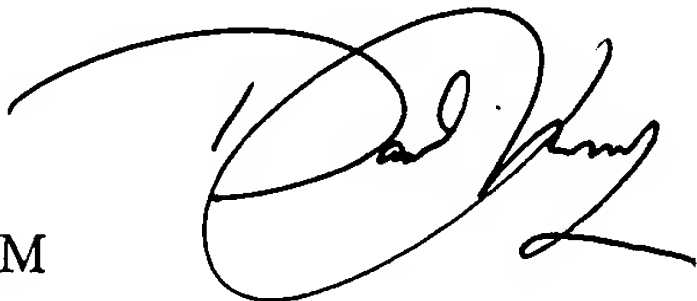
o   Ternullo et al. (US Publication # 2002/0191258 A1) discloses: "Method and Apparatus for Infrared Data
    Communication"
o   Ryngler et al. (US Publication # 2003/0182394 A1) discloses: "Method and System for Providing Context
    Awareness"
o   Vange et al. (US Publication # 2002/0004796 A1) disclose: "System and Method for Providing Distributed
    Database Services"
o   Sprague, Michael (US Publication # 2002/0087974) disclose: "System and Method for Providing Relevant
    Interactive Content to a Broadcast Display"

Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Daniel Murray whose telephone number is (571)-270-1773. The examiner can

normally be reached on Monday - Friday 0800-1700 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Rafael Perez-Gutierrez can be reached on (571)-272-7915. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR system,

see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system,

contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like

assistance from a USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DCM

RAFAEL PEREZ-GUTIERREZ
SUPERVISORY PATENT EXAMINER
1/4/07